<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated November 8, 2002. Claims 1, 3, 5-28, 33, and 37-60 are presented for examination, of which Claims 1, 10, 15, 19, 24, 28, and 33 are in independent form. Claims 2, 4, 29-32, and 34-36 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. New Claims 58-60 have been added to provide Applicants with a more complete scope of protection. Claims 1, 3, 5-28, 33, and 37-57 have been amended to define more clearly what Applicants regard as their invention. Favorable reconsideration is requested.

The drawings were objected to for the reasons set forth in section 2 of the Office Action. Submitted herewith is a Request For Approval Of Drawing Changes, in which is proposed changes to correct the informalities noted in section 2. Accordingly approval of the proposed changes is respectfully requested.

The Office Action rejected Claims 1-5 and 10-57 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,348,971 (Owa) in view of U.S. Patent No. 5,129,639 (DeHority). Cancellation of Claims 2, 4, 29-32, and 34-36 renders their rejections moot. Applicants submit that independent Claims 1, 10, 15, 19, 24, 28, 33, 44, 50, and 55-57, together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is directed to a device search system that includes a server unit and a client unit. The client unit includes first and second request means, recognition means, and output means. The first request means requests

the server unit to execute a first search in accordance with a number of attributes in order to search for a desired device on a network. The recognition means recognizes whether result information obtained from the first search executed by the server unit shows a presence or an absence of at least one device. In response to a recognition by the recognition means that the result information shows the absence of at least one device, the second request means requests the server unit to execute a second search in accordance with a part of the number of attributes used for the first search in order to search for a desired device on the network. If the recognition means recognizes that the result information shows the presence of at least one device, the output means outputs a search result from the first search. If the recognition means recognizes that the search result information shows the absence of at least one device, the output means outputs a search result from the second search, which shows attributes of each device found in the second search, in order to enable to a user to select a desired one of the found devices.

One important feature of Claim 1 is that the device search system enables a search for peripheral devices having certain conditions. Devices found in the search may be presented to a user to assist the user in selecting a desired one of the found devices. The system of Claim 1, however, does not function to search for peripheral devices (e.g., printers) such that one of the devices may be *automatically* selected from devices found in the search.

According to the system of Claim 1, first a search for a desired device is executed based on a certain condition. If no successful results are obtained in the search, then the next search is executed based on a second, milder condition. Namely, the first search is executed using a number of attributes, and the second search is executed using a part of those attributes.

The search results from the second search are outputted such that a list of devices found in the search are displayed with their respective attributes, which enables a user to select a desired one of the found devices.

Owa, as understood by Applicants, relates to printer selection device that selects an optimum printer for printing a document based on user information and printer information. Apparently, Owa discloses that the printer selection device classifies printers according to A, B, and the like, condition items, and gives a high score to printers satisfying a B item among printers satisfying all A items. A printer with the highest score is selected as the optimum printer. (See, for example, the flow chart of Fig. 6.)

DeHority, as understood by Applicants, relates to a system for controlling a printer configuration. Apparently, DeHority teaches that if there is a mismatch between printers and a search condition, a user simply is informed of the mismatch and urged to manually enter a milder search condition. The next search is executed based on a different condition in response to a manual instruction entered by the user.

Applicants submit that a combination of Owa and DeHority, assuming such combination would even be permissible, would fail to teach or suggest a device search system with a client unit that includes "second request means for requesting said server unit to execute a second search in accordance with a part of the number of attributes used for the first search in order to search for a desired device on the network, in response to a recognition by the recognition means that the result information shows the absence of at least one device," and "output means for outputting a search result from the first search when the recognition means

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recognizes that the result information shows the presence of at least one device, and for

outputting a search result from the second search, which shows attributes of each device found in

the second search, in order to enable to a user to select a desired one of the found devices, when

the recognition means recognizes that the search result information shows the absence of at least

one device," as recited in Claim 1.

As mentioned above, the first search is executed using a number of attributes,

and the second search is executed using a part of those attributes. The search results from the

second search are outputted such that a list of devices found in the search are displayed with their

respective attributes, which enables a user to select a desired one of the found devices.

Applicants respectfully submit that one of ordinary skill in the relevant art would find no

suggestion in either Owa or DeHority to provide a user with a list of devices found in a search, to

enable the user to select a desired device from the found devices.

Accordingly, Applicants submit that Claim 1 is patentable over the cited art,

and respectfully request withdrawal of the rejection under 35 U.S.C. § 103(a). Independent

Claims 10, 15, 19, 24, 28, 33, 44, 50, and 55-57 include a feature similar to that discussed above,

in which search results from a second search are outputted to enable a user to select a desired

device from devices found in the search. Therefore, those claims also are believed to be

patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the

independent claims discussed above and, therefore, are submitted to be patentable for at least the

same reasons. Since each dependent claim is also deemed to define an additional aspect of the

invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.
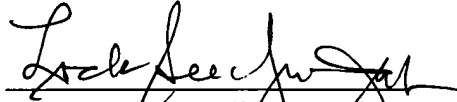
This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. (Note that February 8, 2003, is a Saturday.) If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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FIG. 16

SEARCH RESULT
DISPLAY PROCESS

OBTAIN THE NUMBER
OF ATTRIBUTES TO BE
SEARCHED — S1601

SEARCH RESULT
ALL PROCESSED
? — S1602

No → OBTAIN INFORMATION FOR
ONE DEVICE FROM SEARCH
RESULT — S1603

Yes → FINAL DISPLAY
PROCESS — S1611

END

DISPLAY DEVICE NAME AND
IP ADDRESS — S1604

ATTRIBUTES OF
SEARCH CONDITIONS
ALL PROCESSED
? — S1605

Yes →

No → OBTAIN ONE ATTRIBUTE
FROM SEARCH CONDITION — S1606

ATTRIBUTE
OF SEARCH
CONDITION MATCHES WITH
ATTRIBUTE OF
RESULT ? — S1607

No →

Yes → EXECUTE DISPLAY
PROCESS FOR
MATCHED CASE — S1608

EXECUTE DISPLAY
PROCESS FOR
UNMATCHED CASE — S1610

INCREMENT THE NUMBER
OF MATCHED CONDITION
FOR THE DEVICE — S1609